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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MILLER, BRANDON J

ART UNIT

PAPER NUMBER

2683

2

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,452

Applicant(s)

MARIA VAN ZEIJL, PAULUS
THOMAS

Examiner

Brandon J Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 22-30 and 34-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 22-30 and 34-40 is/are rejected.
- 7) ☒ Claim(s) 11-21 and 31-33 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Title

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Image Reject Circuit.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9-10, 22-26, 28-30, 34-37, and 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ripley in view of Moore.

Regarding claim 1 Ripley teaches an image reject circuit with a local oscillator for producing a local oscillator signal (see col. 5, line 21-22). Ripley teaches a tunable phase shifting network for receiving a local oscillator signal and producing an output in-phase signal (I) and an output quadrature (Q) signal (see col. 5, lines 23-26). Ripley teaches a phase detector for determining the phase of the output I signal and a phase detector for determining the phase of the output Q signal (see col. 3, lines 30-32 and col. 5, lines 27-30). Ripley teaches determining the difference between the phase of the output I and Q signals, to produce a tuning signal for tuning the phase shifting network to bring the difference between the phases of the output I and Q signals towards a desired level (see col. 3, lines 32-37). Ripley does not teach an amplitude

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detector for determining the amplitude of the output I signal and an amplitude detector for determining the amplitude of the output Q signal, or determining the difference between the amplitude of the output I and Q signals to bring the difference between the amplitudes of the output I and Q signals towards a desired level. Moore teaches an amplitude detector for determining the amplitude of the output signals and determining the difference between the amplitude of output signals to bring the difference between the amplitudes of the output signals towards a desired level (see abstract and pg. 6, lines 1-2, 6-8 & 16-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include an amplitude detector for determining the amplitude of the output I signal and an amplitude detector for determining the amplitude of the output Q signal, and determining the difference between the amplitude of the output I and Q signals to bring the difference between the amplitudes of the output I and Q signals towards a desired level because this would allow for adjustment of phase and/or amplitude of input signals provided for improving the image rejection.

Regarding claim 2 Ripley teaches a phase shifting network that has first and second input terminals for receiving the local oscillator signal (see col. 5, lines 34-38). Ripley teaches a first phase shifting circuit connected between a first input terminal and a voltage reference and a second phase shifting circuit connected between a voltage reference and a second input terminal (see col. 3, lines 24-26, 45-47 & 51-53). Ripley teaches a first and second pairs of complementary output lines connected to each of the first and second phase shifting circuits; and, a tuning input for receiving a tuning signal (see col. 5, lines 23-38).

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Regarding claim 3 Ripley teaches each of a first and second phase shifting circuits comprises a bridge circuit, with each bridge circuit containing a first and second parallel arms connected between the respective input terminal and the voltage reference; the first arm comprising a resistive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and capacitive element (see col. 3, lines 11-21 & 46-50).

Regarding claim 4 Ripley teaches a phase shifting network that is tuned by adjusting an RC time constant (see col. 4, lines 37-42).

Regarding claim 5 Ripley teaches a device as recited in claim 4 except for a capacitive element that comprises a reverse polarity junction diode, which is tuned in accordance with a tuning signal. Moore teaches a reverse polarity junction diode, which is tuned in accordance with a tuning signal (see pg. 7, lines 5-7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Moore adapt to include a reverse polarity junction diode, which is tuned in accordance with a tuning signal because this would allow improved image rejection capabilities of a phasing receiver.

Regarding claim 6 Ripley teaches a resistive element that comprises a variable resistor, which is tuned in accordance with a tuning signal (see col. 3, lines 15-16).

Regarding claim 7 Ripley teaches a resistive element that comprises a variable resistor, which is tuned in accordance with a tuning signal (see col. 3, lines 15-16 & 34-37). Moore teaches a reverse polarity junction diode, which is tuned in accordance with a tuning signal (see pg. 7, lines 5-7).

Regarding claim 9 Ripley teaches each of a first and second phase shifting circuits comprises a bridge circuit, with each bridge circuit containing a first and second parallel arms connected between the respective input terminal and the voltage reference; the first arm comprising a resistive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and capacitive element (see col. 3, lines 11-21 & 46-50). Ripley does not teach the first arm comprising a resistive element connected in series with an inductive element; the second arm comprising an inductive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and inductive element, or a phase shifting network that is tuned by adjusting the RL time constant. Ripley does teach adjusting an RC time constant (see col. 4, lines 37-42) and changing resistive and capacitive elements (see col. 3, lines 18-21 and col. 5, lines 15-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include the first arm comprising a resistive element connected in series with an inductive element; the second arm comprising an inductive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and inductive element, and a phase shifting network that is tuned by adjusting the RL time constant because this would allow improved image rejection capabilities of a phasing receiver.

Regarding claim 10 Ripley teaches each of a first and second phase shifting circuits comprises a bridge circuit, with each bridge circuit containing a first and second parallel arms

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connected between the respective input terminal and the voltage reference; the first arm comprising a resistive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and capacitive element (see col. 3, lines 11-21 & 46-50). Ripley does not teach the first arm comprising an inductive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with an inductive element; and, each I and Q output line being connected to a respective junction between the series connected inductive element and capacitive element, or a phase shifting network that is tuned by adjusting the LC time constant. Ripley does teach adjusting an RC time constant (see col. 4, lines 37-42) and changing resistive and capacitive elements (see col. 3, lines 18-21 and col. 5, lines 15-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include the first arm comprising an inductive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with an inductive element; and, each I and Q output line being connected to a respective junction between the series connected inductive element and capacitive element, and a phase shifting network that is tuned by adjusting the LC time constant because this would allow improved image rejection capabilities of a phasing receiver.

Regarding claim 22 Ripley teaches an image reject circuit with a local oscillator for producing a local oscillator signal (see col. 5, line 21-22). Ripley teaches a tunable phase shifting network for receiving a local oscillator signal and producing an output in-phase signal (I) and an output quadrature (Q) signal (see col. 5, lines 23-26). Ripley teaches a phase detector for

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determining the phase of the output I signal and a phase detector for determining the phase of the output Q signal (see col. 3, lines 30-32 and col. 5, lines 27-30). Ripley teaches determining the difference between the phase of the output I and Q signals, to produce a tuning signal for tuning the phase shifting network to bring the difference between the phases of the output I and Q signals towards a desired level (see col. 3, lines 32-37). Ripley does not teach an amplitude detector for determining the amplitude of the output I signal and an amplitude detector for determining the amplitude of the output Q signal, or determining the difference between the amplitude of the output I and Q signals to bring the difference between the amplitudes of the output I and Q signals towards a desired level. Moore teaches an amplitude detector for determining the amplitude of the output signals and determining the difference between the amplitude of output signals to bring the difference between the amplitudes of the output signals towards a desired level (see abstract and pg. 6, lines 1-2, 6-8 & 16-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include an amplitude detector for determining the amplitude of the output I signal and an amplitude detector for determining the amplitude of the output Q signal, and determining the difference between the amplitude of the output I and Q signals to bring the difference between the amplitudes of the output I and Q signals towards a desired level because this would allow for adjustment of phase and/or amplitude of input signals provided for improving the image rejection.

Regarding claim 23 Ripley teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

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Regarding claim 24 Moore teaches changing the voltage across junction diodes, causing the capacitance of the junction diodes to change accordingly (see pg. 7, lines 5-7 & 10-11).

Regarding claim 25 Ripley teaches a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 26 Ripley teaches changing the capacitance value and the resistance value (see col. 4, lines 36-42).

Regarding claim 30 Ripley teaches amplitudes of the I and Q signals that are determined using amplitude detectors (see col. 3, lines 30-32 and col. 5, lines 27-30)

Regarding claim 28 Ripley teaches a device as recited in claim 22 except for a phase shifting network that is tuned by adjusting an RL time constant. Ripley does teach adjusting an RC time constant (see col. 4, lines 37-42) and changing resistive and capacitive elements (see col. 3, lines 18-21 and col. 5, lines 15-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include a phase shifting network with inductive elements that is tuned by adjusting an RL time constant because this would allow improved image rejection capabilities of a phasing receiver.

Regarding claim 29 Ripley teaches a device as recited in claim 22 except for a phase shifting network that is tuned by adjusting an LC time constant. Ripley does teach adjusting an RC time constant (see col. 4, lines 37-42) and changing resistive and capacitive elements (see col. 3, lines 18-21 and col. 5, lines 15-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include a phase shifting network with inductive elements that is tuned by adjusting an LC time constant because this would allow improved image rejection capabilities of a phasing receiver.

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Regarding claim 30 Moore teaches an amplitude detector (see pg. 6, lines 16-27).

Regarding claim 34 Ripley teaches a tunable phase shifting network for use in a image reject circuit (see col. 5, lines 23-26). Ripley teaches a phase shifting network that has first and second input terminals for receiving an input signal (see col. 5, lines 34-38). Ripley teaches a first phase shifting circuit connected between a first input terminal and a voltage reference and a second phase shifting circuit connected between a voltage reference and a second input terminal (see col. 3, lines 24-26, 45-47 & 51-53). Ripley teaches containing a first and second parallel arms connected between the respective input terminal and the voltage reference; the first arm comprising a resistive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and capacitive element (see col. 3, lines 11-21 & 46-50). Ripley teaches a phase shifting network that is tuned by adjusting an RC time constant (see col. 4, lines 37-42).

Regarding claim 35 Ripley and Moore teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 36 Ripley teaches a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 37 Ripley and Moore teach a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 39 Ripley teaches a tunable phase shifting network for use in an image reject circuit (see col. 5, lines 23-26). Ripley teaches a phase shifting network that has first and second input terminals for receiving an input signal (see col. 5, lines 34-38). Ripley teaches a

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first phase shifting circuit connected between a first input terminal and a voltage reference and a second phase shifting circuit connected between a voltage reference and a second input terminal (see col. 3, lines 24-26, 45-47 & 51-53). Ripley teaches containing a first and second parallel arms connected between the respective input terminal and the voltage reference; the first arm comprising a resistive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and capacitive element (see col. 3, lines 11-21 & 46-50). Ripley does not teach the first arm comprising a resistive element connected in series with an inductive element; the second arm comprising an inductive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and inductive element, or a phase shifting network that is tuned by adjusting the RL time constant. Ripley does teach adjusting an RC time constant (see col. 4, lines 37-42) and changing resistive and capacitive elements (see col. 3, lines 18-21 and col. 5, lines 15-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include the first arm comprising a resistive element connected in series with an inductive element; the second arm comprising an inductive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and inductive element, and a phase shifting network that is tuned by adjusting the RL time constant because this would allow improved image rejection capabilities of a phasing receiver.

Regarding claim 40 Ripley teaches a tunable phase shifting network for use in an image reject circuit (see col. 5, lines 23-26). Ripley teaches a phase shifting network that has first and second input terminals for receiving an input signal (see col. 5, lines 34-38). Ripley teaches a first phase shifting circuit connected between a first input terminal and a voltage reference and a second phase shifting circuit connected between a voltage reference and a second input terminal (see col. 3, lines 24-26, 45-47 & 51-53). Ripley teaches a first and second parallel arms connected between the respective input terminal and the voltage reference; the first arm comprising a resistive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with a resistive element; and, each I and Q output line being connected to a respective junction between the series connected resistive element and capacitive element (see col. 3, lines 11-21 & 46-50). Ripley does not teach the first arm comprising an inductive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with an inductive element; and, each I and Q output line being connected to a respective junction between the series connected inductive element and capacitive element, or a phase shifting network that is tuned by adjusting the LC time constant. Ripley does teach adjusting an RC time constant (see col. 4, lines 37-42) and changing resistive and capacitive elements (see col. 3, lines 18-21 and col. 5, lines 15-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Ripley adapt to include the first arm comprising an inductive element connected in series with a capacitive element; the second arm comprising a capacitive element connected in series with an inductive element; and, each I and Q output line being connected to a respective junction between the series connected inductive element and capacitive element, and a phase

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shifting network that is tuned by adjusting the LC time constant because this would allow improved image rejection capabilities of a phasing receiver.

Claim 8, 27 and 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ripley in view of Moore and Mole.

Regarding claim 8 Ripley and Moore teaches a device as recited in claim 6 except for a MOFSET operated in its triode region. Mole teaches transistors operating in their triode region (see col. 12, lines 15-18 & 21-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include a MOFSET operated in its triode region because this would allow for reduction in the impact of image frequencies generated by mixing.

Regarding claim 27 Ripley, Moore, and Mole teach a device as recited in claim 8 and is rejected given the same reasoning as above.

Regarding claim 38 Ripley, Moore, and Mole teach a device as recited in claim 8 and is rejected given the same reasoning as above.

Claim Objections

Claims 11-21 and 31-33 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only, and/or, cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Abbasi U.S Patent No. 6,397,051 discloses dual image-reject mixer receiver for multiple channel reception and processing.

Sokoler U.S Patent No. 6,073,001 discloses down conversion mixer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

**WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**

March 19, 2003